

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 2/10/2015	(3) CONTACT/PHONE Doug Rion, County Surveyor (805) 781-5265	
(4) SUBJECT Hearing to consider a resolution approving and ordering the annexation of territory to Zone A of San Luis Obispo County Service Area No. 7 (Oak Shores), without an election, and finding the project to be exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). District 1.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Conduct the public hearing for the annexation of territory to Zone A of San Luis Obispo County Service Area No. 7 (Oak Shores); and 2. Adopt the attached resolution approving the annexation of territory described in Exhibit "A" of the resolution into Zone A of San Luis Obispo County Service Area No. 7; without an election; and 3. Find that the project is exempt from Section 2100 et seq. of the California Public Resources Code (CEQA). 			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>15 min.</u>) <input type="checkbox"/> Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: 1/6/15, #1	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 1			

Reference: 15FEB10-H-1

County of San Luis Obispo



TO: Board of Supervisors
FROM: Public Works
Doug Rion, County Surveyor
VIA: Will Clemens, Finance Division Manager
DATE: 2/10/2015

SUBJECT: Hearing to consider a resolution approving and ordering the annexation of territory to Zone A of San Luis Obispo County Service Area No. 7 (Oak Shores), without an election, and finding the project to be exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). District 1.

RECOMMENDATION

It is recommended that the Board:

1. Conduct the public hearing for the annexation of territory to Zone A of San Luis Obispo County Service Area No. 7 (Oak Shores); and
2. Adopt the attached resolution approving the annexation of territory described in Exhibit "A" of the resolution into Zone A of San Luis Obispo County Service Area No. 7; without an election; and
3. Find that the project is exempt from Section 2100 et seq. of the California Public Resources Code (CEQA).

DISCUSSION

The public hearing will allow the Board to hear and consider any protests to the recommended action to annex additional territory to Zone A. The annexation is necessary to correct boundary ambiguities by aligning the boundary of Zone A to coincide with the current parcel boundaries. Annexation of additional territory into the zone requires a public hearing in accordance with Government Code 25217, et seq.

Resolution #2015-001 initiating the proceedings for the public hearing was adopted by your Board on January 6, 2015. Notice of the public hearing was made by the County Clerk as required by law.

Zone A of County Service Area No. 7 (CSA 7) provides wastewater collection treatment and disposal service to its customers in the Oak Shores area on the northerly shores of Nacimiento Reservoir. On April 6, 1976 the Board of Supervisors adopted resolution 76-306 creating Zone A within CSA 7. On

February 6, 1996, the Board of Supervisors adopted resolution 96-70 approving and ordering the "Tract 2124" annexation to Zone A subject to the payment of a buy-in fee. Payment of the entire fee was completed on April 10, 1998. On April 28, 1998 the Board of Supervisors adopted Resolution 98-123 re-approving and ordering the "Tract 2124" annexation to Zone A. The annexed territory was only a portion of the entire proposed subdivision shown on the approved tentative map of Tract 2124. The subdivider intended to complete the subdivision in multiple phases. However, parcel boundaries as shown on the approved tentative map for Tract 2124 were never created because the final tract map was not completed and the tentative map expired March 27, 2002.

Territory including the area of the sixteen proposed parcels of the "Tract 2124" annexation to Zone A was reconfigured by Lot Line Adjustment (LLA) COAL 00-0086 via Certificates of Compliance recorded December 8, 2000 in Official Documents 2000-073061 et seq., with the unintended results of portions of some of the adjusted parcels being both within and outside of the Zone A boundary. Recent review of Zone A sewer availability charges revealed that certain parcels within Zone A were not being charged because of the parcel boundary ambiguities relative to the approved Zone A boundary.

The proposed annexation will revise the Zone A boundary to align with the parcel boundaries created with COAL 00-0086, but will not accept, for maintenance, the sanitary sewer improvements constructed within COAL 00-0086. The existing 2-inch sanitary sewer force main that was constructed to serve Lots 4 through 10 of COAL 00-0086 was not constructed to meet County Standards and therefore CSA 7 Zone A has not been and will not be operating or maintaining those private facilities. County maintenance responsibility begins at the point where the private 2-inch sanitary sewer force main connects to the CSA 7 Zone A manhole located in Saddle Way.

OTHER AGENCY INVOLVEMENT/IMPACT

LAFCO has no power or duty to review, approve or disapprove a CSA zone of benefit boundary change according to Government Code 25217.3. A county service area has no governing board. Its affairs are managed by the Board of Supervisors. The Board may change the boundaries of a zone as provided for in Government Code 25217.2. Public Works Dept. staff met with Assessor's Office staff regarding tax rate area ambiguities however the Tax Rate Area (TRA) maps they rely on for assigning proper TRAs to individual parcels are published by the State Board of Equalization (SBE). A formal annexation is necessary in order for TRA maps to be revised and issued by the SBE.

County Counsel has approved the attached resolution as to form and effect.

The Environmental Coordinator has reviewed the project and found it to be exempt from CEQA (General Rule Exemption).

FINANCIAL CONSIDERATIONS

There is minimal cost related to the annexation of this territory into Zone A. However, the Zone A wastewater system is available for the annexed territory to connect to and this action will allow these parcels to be charged the appropriate fees for sewer service. Currently, unconnected parcels are charged an annual \$60 sewer availability charge and connected parcels are charged an annual \$237.44 sewer service fee.

RESULTS

At the conclusion of the public hearing if your Board determines that a majority protest to the annexation does exist, the proceedings shall be terminated. If your Board determines that a majority protest does not exist and with your board's adoption of the attached resolution the annexation of additional territory into Zone A of CSA 7 will be completed to correct the Zone A boundary, providing for a better governed community.

File: CF 320.85.02

Reference: 15FEB10-H-1

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ATTACHMENTS

1. Map, CSA 7A - Vicinity Map
2. Map, Zone A - Existing
3. Map, Zone A - Proposed
4. Map, Parcels in annexation by APN
5. Resolution Approving Annexation of Territory to Zone A of San Luis Obispo County Service Area No. 7
6. Notice of General Rule Exemption (CEQA)